

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
Pittsburgh Division**

VICTOR J. FREDERICKS,
on behalf of himself and all similarly situated
individuals,

Plaintiff,

v.

BLACK KNIGHT SECURITY, INC. and
GENERAL INFORMATION SOLUTIONS,
LLC,

Defendants.

Civil Action No. 2:21-cv-533

DEFENDANTS' JOINT NOTICE OF REMOVAL

**TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA:**

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendants General Information Solutions, LLC (“GIS”) and Black Knight Security, Inc. (“Black Knight”) (collectively, “Defendants”), by counsel, hereby jointly remove this civil action from the Court of Common Pleas of Allegheny County, Pennsylvania, Case No. GD-21-1532 (the “State Court Action”), to the United States District Court for the Western District of Pennsylvania. Removal is proper because this Court has federal question jurisdiction over this action under 28 U.S.C. § 1331. Accordingly, Defendants remove this action, and in support of their Notice of Removal, state as follows:

I. BACKGROUND

1. On or about February 24, 2021, Plaintiff, Victor J. Fredricks (“Plaintiff”), filed a Complaint against GIS in the Court of Common Pleas of Allegheny County and initiated the

State Court Action. In accordance with 28 U.S.C. § 1446(a), attached as **Exhibit A** is a complete copy of all process, pleadings, and orders served upon GIS in the State Court Action, and attached as **Exhibit B** is a complete copy of all process, pleadings, and orders served upon Black Knight in the State Court Action.

2. Plaintiff served GIS with a copy of the Complaint, and GIS received the Complaint on March 25, 2021.

3. Plaintiff served Black Knight with a copy of the Complaint, and Black Knight received the Complaint on March 23, 2021.

4. This Notice of Removal is being filed within thirty (30) days of Black Knight receiving the Complaint. Accordingly, the action is removable pursuant to 28 U.S.C. § 1446(b)(1).

5. The above-captioned action is a suit for alleged violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* (“FCRA”).

II. FEDERAL QUESTION JURISDICTION

6. This Court has original jurisdiction over Plaintiff’s FCRA claims pursuant to 28 U.S.C. § 1331, which gives district courts “original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331.

7. Removal of this action is proper under 28 U.S.C. § 1441(a), which provides in pertinent part, “any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

8. In his Complaint, Plaintiff asserts three causes of action, alleging that Defendants

violated the FCRA, a federal statute. (*See* Ex. A at ¶¶ 137–57 (alleging claims under 15 U.S.C. § 1681b(b)(1)(A), § 1681b(b)(2)(A)(i), and § 1681b(b)(3)(A)).)

9. Federal question jurisdiction exists over this action because the allegations asserted by Plaintiff in the Complaint involve questions that will require resolution of significant, disputed issues arising under federal law. This case qualifies for federal question jurisdiction and is removable because Plaintiff's Complaint alleges claims under, and requires a ruling on, the FCRA.

10. Pursuant to 28 U.S.C. § 1441(b), removal is proper irrespective of the citizenship or residence of the parties.

III. COMPLIANCE WITH STATUTORY REQUIREMENTS

11. Venue is proper in this Court because this district and division encompass the Court of Common Pleas of Allegheny County, Pennsylvania, the forum from which the State Court Action has been removed. *See* 28 U.S.C. § 1441(a).

12. All Defendants consent to removal under 28 U.S.C. § 1446(b)(2)(A).

13. In accordance with 28 U.S.C. § 1446(d), a copy of Defendants' Joint Notice of Filing Notice of Removal (attached as **Exhibit C**) is being filed contemporaneously with the Clerk of the Court of Common Pleas of Allegheny County, Pennsylvania.

14. In accordance with 28 U.S.C. § 1446(d), Defendant is also contemporaneously serving this Notice of Removal on all adverse parties.

15. Upon information and belief, the contents of Exhibits A, B, and C constitute the entire file of the State Court Action as required pursuant to 28 U.S.C. § 1446(a).

IV. RESERVATION OF RIGHTS

16. Defendants deny the allegations contained in Plaintiff's Complaint and file this

Notice of Removal without waiving any defenses, objections, exceptions, or obligations that may exist in their favor in either state or federal court, including that this Court or the state court has personal jurisdiction over Defendants and/or that Plaintiff has agreed to arbitrate these claims, on an individual, non-class basis, pursuant to the Federal Arbitration Act.

17. Further, in making the allegations in this Joint Notice of Removal, Defendants do not concede in any way that the allegations in the Complaint are accurate, that Plaintiff has asserted any claims upon which relief can be granted, that this matter may be maintained as a class action, or that recovery of any of the amounts sought is authorized or appropriate.

18. Defendants reserve the right to amend this Joint Notice of Removal.

V. CONCLUSION

WHEREFORE, in accordance with the authorities set forth above, Defendants General Information Solutions, LLC and Black Knight Security, Inc. hereby remove the above-captioned action from the Court of Common Pleas of Allegheny County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania, Pittsburgh Division, and seek all further relief this Court deems equitable and just.

Dated: April 21, 2021

Respectfully submitted:

By: /s/ Michael G. Connelly

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*Attorneys for Defendant General Information
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and

Dated: April 21, 2021

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CERTIFICATE OF SERVICE

I certify that on April 21, 2021, I filed the foregoing *Joint Notice of Removal* with the Clerk of the Court, and sent notice, via first class mail, postage prepaid, to the following counsel of record:

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